

REMARKS

Entry of the foregoing, further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested.

Amendments

By the foregoing amendments, pending Claims 18-27, 32, and 33 have been canceled. New Claims 35-53 have been added. Support for these new Claims may be found throughout the specification, in original Claims 1-15, and in formerly-pending Claims 18-27, 32, and 33 (*see Appendix A*). In addition, support for independent Claims 39, 44, and 49 may be found at Paragraphs 0014 and 0015 of the Specification.

Also by the foregoing amendments, the Specification has been amended such that the prior Sequence Listing has been replaced with a Substitute Sequence Listing. This Substitute Sequence Listing contains SEQ ID NOs. 1-22 (*See Supplemental Reply and Amendment filed April 24, 2003*).

No new matter has been added due to these amendments.

Personal Interview

The undersigned greatly appreciates the courtesies paid to her during the personal interview ("the Interview") between Examiner Ashwin Mehta and the undersigned on Tuesday, November 4, 2003.

During the Interview, Claims 18-27, 32, and 33 were discussed, as well as proposed claim amendments. The foregoing claim amendments reflect suggestions made by

Examiner Mehta during the Interview. Should the Examiner recommend any additional amendments, he is invited to call the undersigned so that prosecution of instant application is expedited.

Sequence Listing

Further to Applicants' Supplemental Reply and Amendment filed April 24, 2003 (amending the Specification to include reference to SEQ ID NOS. 9-22), Applicants hereby provide a computer-readable form and a paper copy of the updated Substitute Sequence Listing.

Figures

Also further to Applicants' Supplemental Reply and Amendment filed April 24, 2003, Figures 2 and 3 have been corrected as requested by the Draftperson. *See Form PTO 948 dated September 20, 2002.* A set of formal drawings, including corrected Figures 2 (2A-2D) and 3, are submitted herewith.

Priority Documents

As reflected in the Office Action Summary mailed July 7, 2003, acknowledgment has been made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) and all certified copies of the priority documents have been received.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 19, 21-27, and 32 were rejected under 35 U.S.C. § 112, First Paragraph, as purportedly failing to comply with the written description requirement. *See Final Official Action*, ¶ 14, Pages 4-5. This rejection is respectfully traversed.

Not to acquiesce in the Examiner's rejection, but solely to facilitate prosecution, Applicants have canceled Claims 19, 21-27, and 32. New, independent Claims 36 and 38 specify that at least 99% identity is exhibited. Accordingly, Applicants believe that the foregoing written description rejection has been rendered moot. Should the Examiner seek additional information on the carboxyl methyltransferase family, Applicants have included Chloe Zubieta *et al.*, "Structural Basis for Substrate Recognition in the Salicylic Acid Carboxyl Methyltransferase Family," 15 THE PLANT CELL 1704-1716 (August 2003) (color copy).

Enablement

Next, Claims 19, 21-27, and 32 were rejected under 35 U.S.C. § 112, First Paragraph, as allegedly not enabled. *See Final Official Action*, ¶ 15, Pages 5-7. This rejection is respectfully traversed.

Not to acquiesce in the Examiner's rejection, but solely to facilitate prosecution, Applicants have canceled Claims 19, 21-27, and 32. New, independent Claims 36 and 38 specify that at least 99% identity is exhibited. Accordingly, Applicants believe that the foregoing enablement rejection has been rendered moot.

Finally, with respect to former Claims 22 and 32 and the techniques used to inhibit expression, new Claims 39, 44, and 49 specify the techniques of antisense, double-stranded


RNA, and co-suppression. Applicants believe that this information has obviated a corresponding enablement rejection to these claims. Should the Examiner seek additional information on RNAi, Applicants have included Shinjiro Ogita *et al.*, "*Producing decaffeinated coffee plants*," 423 NATURE 823 (June 19, 2003) (color copy).

CONCLUSION

From the foregoing, further and favorable consideration in the form of a Notice of Allowance is respectfully requested and earnestly solicited.

In the event that there are any questions relating to this response, or the application in general, it would be greatly appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,
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Date: November 19, 2003

Appendix A

New Claim Number	Old Claim Number
35	18
36	19
37	20
38	21
39	32, 33
40	22, 23
41	24
42	25, 26
43	27
44	32
45	22
46	24
47	25
48	27
49	32
50	22
51	24
52	25
53	27